

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA**

CHARLESTON DIVISION

AMBER M. BALENTINE, et al.,

Plaintiffs,

v.

CIVIL ACTION NO. 2:09-cv-00709

ERIE INSURANCE COMPANY, et al.,

Defendants.

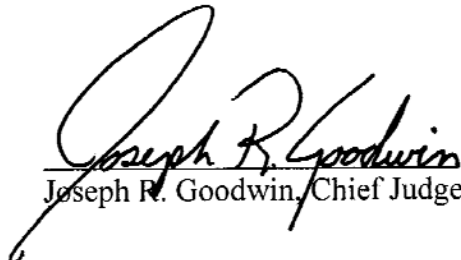
MEMORANDUM OPINION AND ORDER

Pending before the court is the parties' Joint Motion to Bifurcate and Stay [Docket 20]. The Complaint in this case consists of two counts. The Joint Motion requests that the court, pursuant to Federal Rule of Civil Procedure 42(b), bifurcate and stay Count Two, pending resolution of Count One.

Rule 42(b) provides for bifurcation in order "to avoid prejudice, or to expedite and economize." Here, given the facts and claims in this case, bifurcating and staying Count Two would not serve to achieve any of these ends. The Joint Motion [Docket 20] is **DENIED**.

The court **DIRECTS** the Clerk to send a copy of this Order to counsel of record and any unrepresented party.

ENTER: March 16, 2010


Joseph R. Goodwin, Chief Judge